

RE: Draft Outline of Interim Plan – recommended additions/changes

Change Summary: Below is listed changes recommended to the Interim Plan Outline [\(Rev1\)](#).

1. The goal to “Build facilities to improve the existing water conveyance system and expand statewide storage” seems short-sighted and appears to focus on expanded pumping out of the Delta to provide needed water to other areas of the state. Instead, the first step of the plan should be to determine the amount of flow required to maintain a healthy Delta ecosystem. Once that is determined, the rest of the plan can be finalized. If there are still issues/impacts to fish due to reverse flows when the exports are optimum, then projects like 2 Gates and others could be considered if still needed. Many scientists believe exports need to return to levels prior to 2007. This would reduce salt intrusion and would not cause the strong reverse flows affecting the salmon and smelt today. After the amount of water available from the Delta is determined, the components of a comprehensive state water plan can be determined. This plan needs to identify and include other steps such as the Tulare Lake Basin project, reducing evaporation from the Aqueduct, desalination plants, agriculture conservation, and groundwater clean-up.
2. Recognition of the “unique cultural, recreational, and agricultural values of the California Delta as an evolving place” is an important part of this plan. Recognition of the Delta as a home to millions and an economic basis for the communities (local agriculture, fishing, boating, home values, local businesses) needs to also be specifically considered and supported by this plan.
3. “Support for agriculture” should include maintaining farmers’ priority water rights.
4. “Support for agriculture” needs to be qualified.
 - a. There are currently lands with high levels of selenium being farmed. This has resulted in wildlife deformities and causes significant issues for downstream Delta farmers.
 - b. Some crops consume more water than others. The plan needs to support balancing the economic value of agriculture with negative impacts to the state water supply
 - c. Some farmers leverage their water rates to resell at a profit. This should be eliminated by mandating no profiteering from reselling water rights.

Programs to encourage farmers to switch to crops needing less water, eliminate farming on selenium-filled land and eliminate reselling water rights should be added to this plan.
5. There is a conflict in V(a) and V(b) since (a) is a study to determine if there is any scientific basis to assure Gates will be effective in protecting Delta Smelt and hence V(b) needs to be qualified based on the results of that study. Furthermore, the numerous objections raised by citizens to the 2-Gates project including the safety of the gates (recreational and commercial boater safety and issues from blocking marine and fire safety vessels) are substantial concerns. The 2 Gates project as it was originally scoped in the USBR FONSI should not be included in this plan.

Interim Plan Outline – RECOMMENDED UPDATES

- I. Legally acknowledge the co-equal goals (85054)
- II. Recognize and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place
 - a. Consider Delta Protection Commission’s Resource Management Plan
 - b. Support agriculture [that is economically beneficial to the state and insure farmers’ priority water rights.](#)
 - c. [Support completion of federal legislation on national heritage area](#)
 - d. [Support for recreation including boating and fishing](#)
 - ~~e.~~ [Support and concern for local communities economy, utilities \(water supply, waste management\), personal safety, and home values.](#)
 - ~~d.f.~~ Other items as appropriate
- III. Restore the Delta ecosystem (restoration 85066) (flows 85086)
 - a. Dutch Slough tidal marsh restoration [evaluation](#) (85085 (d))
 - b. Meins Landing tidal marsh restoration evaluation (85085 (d))
 - c. Other near-term actions as identified in the Delta Vision Strategic Plan (85085 (c))
 - d. DFG and DWR proposal solicitation projects
 - e. New operating criteria for Biological Opinions?

- f. Implement a program for agriculture runoff treatment and clean-up for Westland farms dumping into the San Joaquin (particularly, but not limited to selenium problems).
 - f.g. Other projects
- IV. Promote statewide water conservation, efficiency, and sustainable water use (expanded diversion data collection and reporting 85086)
 - a. State Water Resource Control Board develops plan for Delta watershed diversion data collection and public reporting by December, Council reviews
 - b. Appoint Delta Watermaster (85230)
 - c. Complete board and DFG instream flow criteria evaluation
 - d. Development of a drought contingency plan
 - e. Implement stronger agricultural groundwater pumping policies to insure the State's aquifers are not depleted to the point risking collapse.
 - f. Evaluate the ranching and farming economic benefits to the State as it relates to water use. Implement a program to phase out water price subsidies over ten years. This would encourage California farmers to switch to crops that consume less water.
 - g. Implement a program to eliminate profiting from reselling water rights - limit the price of sold water rights to the seller's actual expenses (water purchase cost plus any pumping expenses incurred by the seller).
 - h. Evaluate water bottling and distribution industries to ensure California water is not exported out of California.
 - e.i. Other items
- V. Build facilities to improve the existing water conveyance system and expand statewide storage and operate both to achieve the co-equal goals
 - a. Continue working on a comprehensive the rapid science study for the Two-Gates Fish Protection Demonstration Project or alternative. If the Two-Gates Project is determined to have positive effect on fish species, evaluate options that address boater access, safety concerns, and aesthetic impacts to Old River, one of Contra Costa County's scenic waterways.
 - b. ~~Construct and implement~~ If appropriate, prepare an EIR and obtain NEPA/CEQA approval for the Two-Gates Fish Protection Demonstration Project (85085 (a)) with consideration of the Delta communities safety, boating, health, water quality, and other needs (See attached responses to the USBR regarding the 2 Gates project).
 - c. Complete EIR/S for Three Mile Slough if appropriate begin construction (85085 (b))
 - d. Evaluate constructing demonstration fish protection screen at Clifton Court Forebay
 - e. Complete BDCP including near-term and long-term flow ~~management~~ requirement proposals and associated Environmental Impact Report and Statements for sustaining a healthy Bay and Delta
 - f. Other items
- VI. Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and strategic levee investments
 - a. Continue to invest in rock and emergency response materials
 - b. Conduct a public review of the emergency plan for the Delta and conduct an exercise
 - c. Develop emergency plan for statewide implementation in the event of catastrophic failure and conduct an exercise
 - d. Continue levee subvention program
 - e. Other items
- VII. Develop and implement a project review process for use moving forward including oversight by representatives from the five Delta counties
- VIII. Establish a new governance structure with the authority, responsibility, accountability (85082 federal participation), science support (85280) and secure funding to achieve these goals
 - a. Develop and implement consistency rules and regulations
 - b. Appoint science board and new lead scientist
 - c. Develop science proposal solicitation process for key science objectives
 - d. Develop Delta Plan including finance plan including funding for the five Delta counties to participate in the process (see attachment)

Revision Date: 5/8/2010

Submitted By:

Jan McCleery,
5672 Drakes Drive, Discovery Bay, CA 94505
jmcclery@duckpondsoftware.com

- e. Develop and implement a review process for Delta projects to be used until the Delta Plan is implemented
- f. Continue tracking appropriate CALFED projects and participate in reviews of ongoing work
- g. Other items

List of Attachments

[Delta Counties Coalition "Funding for 2009 Delta Legislation Implementation" memo](#)

[Joan Buchanan response to the USBR regarding the 2 Gates Project](#)

[Jan McCleery's comments to the USBR regarding the 2 Gates Project](#)